

AMENDED

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

- NOV-27-1989 - New priority date Sept. 21, 2001

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed.....

Map filed.....

DEC 20 1989

The applicant..... Gardner Ranches Inc.

Star Route 3..... Ely, Nev.
Street and No. or P.O. Box No. City or Town

Nevada 89301....., hereby make application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a
copartnership or association, give names of members.) May 31, 1973, Ely, Nevada

1. The source of the proposed appropriation is..... Underground Sources
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is..... 0.05 cfs..... second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet.....

3. The water to be used for..... Stockwatering
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated 1,000 head of sheep, 500 head of cattle.....

(b) Stockwater, state number and kinds of animals to be watered.....

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point in the SE¼ NE¼ of Section 1,
Describe as being within a 40-acre subdivision of public

T.12N., R.60E., M.D.B.&M., whence the Southeast Corner of said Section 1
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

bears S.20°19'31"E., 3,781.56 feet distant.

6. Place of use All of T.12N., R.60E., M.D.B.&M.; Sections 2 through 11, 14 through
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

23 and 26 through 35 in T.12N., R.61E., M.D.B.&M.; Sections 7 through 36 in

T.13N., R.60E., M.D.B.&M.; Sections 7 through 11, 14 through 23 and 26 through

35 in T.13N., R.61E., M.D.B.&M.

7. Use will begin about January 1st..... and end about December 31st....., of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) Water will be either pumped in stockwatering
State manner in which water is to be diverted, i.e. diversion structure, ditches and

troughs and ponds or hauled by truck within the proposed place of use.
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works..... \$8,000.00

10. Estimated time required to construct works..... 1 year
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use..... 3 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This application is on an existing well which was drilled by Frehner Construction for highway construction.

s/Richard W. Forman
By Richard W. Forman Agent
P.O. Box 150 Ely, Nevada 89301

Compared..... bp/ db cl/bk

Protested.....

APPROVAL

.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 0.0156 cubic feet per second....., or sufficient to water 500 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before..... May 2, 1997

Proof of completion of work shall be filed on or before..... June 2, 1997

Application of water to beneficial use shall be made on or before..... May 2, 2000

Proof of the application of water to beneficial use shall be filed on or before..... June 2, 2000

Map in support of proof of beneficial use shall be filed on or before..... N/A

Completion of work filed..... FEB 11 2003 IN TESTIMONY WHEREOF, I..... R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed..... AUG 04 2003 State Engineer of Nevada, have hereunto set my hand and the seal of my

Cultural map filed..... office, this..... 2nd day of..... May

Certificate No. 16295 Issued MAR 02 2004 A.D. 19..... 96

~~CANCELLED OCT 15 2001~~ BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
(01-5314 (Rev.)
~~STATE ENGINEER~~
Canc. Rescinded 1-9-02

State Engineer